

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Local Rule 83.1 - Admission

83.1 Admission to the Bar. (Amended January 1, 2011)

(a) Permanent Admission. A member in good standing of the bar of the State of New York or of the bar of any United States District Court, or of the highest court in the state in which they reside, whose professional character is good, may be permanently admitted to practice in this Court on motion of a member of the bar of this Court in compliance with the requirements of this Rule. **An admission packet containing all the required forms is available from the Clerk's office and on the Court's webpage at "www.nynd.uscourts.gov."**

Each applicant for permanent admission must file, at least fourteen (14) days prior to the scheduled hearing (unless, for good cause shown, the Court shortens the time), documentation for admission as set forth below. Ordinarily, the Court entertains applications for admission only on regularly scheduled motion days. Documentation required for permanent admission includes the following:

1. A verified petition for admission stating the following:

- place of residence and office address;
 - the date(s) when and court(s) where previously admitted;
 - legal training and trial experience;
 - whether the applicant has ever been held in contempt of court, censured, suspended or disbarred by any court and, if so, the facts and circumstances connected therewith; and
- that the applicant is familiar with the provisions of the Judicial Code (Title 28 U.S.C.), which pertain to the jurisdiction of, and practice in, the United States District Courts; the Federal Rules of Civil Procedure and the Federal Rules of Evidence for the District Courts; the Federal Rules of Criminal Procedure for the District Courts; the Local Rules of the District Court for the Northern District of New York; and the N.Y.S. Lawyer's Code of Professional Responsibility. The applicant shall further affirm faithful adherence to these Rules and responsibilities.

2. Affidavit of Sponsor. The sponsor must be a member in good standing of the bar of the Northern District of New York who has personal knowledge of the petitioner's background and character. A form Affidavit of Sponsor is available from the Clerk's office.

3. Attorney E-Filing Registration Form. The E-Filing Registration Form must be in the form the Clerk prescribes, which sets forth the attorney's current office address(es); telephone and fax number(s), and e-mail address. A copy of the Attorney E-Filing Registration Form is available on the Court's webpage at "www.nynd.uscourts.gov." See subdivision (e) for requirements when information on the Registration Form changes.

4. **Certificate of Good Standing.** The certificate of good standing must be dated within six (6) months of the date of admission.
5. **The Required Fee.** As prescribed by and pursuant to the Judicial Conference of the United States and the Rules of this Court, the fee for admission to the bar is **\$200.00**.

In addition to the initial admission fee, there shall be a **\$50.00** biennial registration fee. This fee shall be due and owing on **June 1, 2001**, and every two years thereafter unless the Board of Judges directs otherwise. Failure to remit this fee will result in the removal of the non-paying attorney from the Court's bar roll. Should the payment of this biennial fee present a significant financial hardship, an attorney may request, by submitting an application to the Chief Judge, that the biennial registration fee be waived.

The Clerk shall deposit **\$50.00 of the \$200.00** admission fee and the **\$50.00** biennial registration fee into the District Court Fund. The Clerk shall be the trustee of the Fund, and the monies deposited in the Fund shall be used only for the benefit of the bench and bar in the administration of justice. All withdrawals from the Fund require the approval of the Chief Judge or a judge designated by the Chief Judge to authorize the withdrawals. The admission fees and biennial registration fees are waived for all attorneys in the employ of the United States Government.

The biennial registration fees **only** are waived for all attorneys employed by state and local public sector entities.

6. **Oath on Admission.** Applicants must swear or affirm that as attorneys and counselors of this Court, they will conduct themselves uprightly and according to law and that they will support the Constitution of the United States. The applicant signs the Oath on Admission, Form AO 153, in court at the time of the admission.

(b) Applicants who are not admitted to another United States District Court in New York State must appear with their sponsor for formal admission unless the Court, in the exercise of its discretion, waives such appearance. If the applicant is admitted to practice in New York State, the Certificate of Good Standing submitted with the application for admission must be from the appropriate New York State Appellate Division. All requirements of subdivision (a) apply.

If the applicant is from outside New York State, the Certificate of Good Standing may be from the highest court of the state or from a United States District Court. All requirements of subdivision (a) apply.

(c) Applicants who are members in good standing of a United States District Court for the Eastern, Western, or Southern District of New York need not appear for formal admission. They must submit a Certificate of Good Standing from the United States District Court where they are members and a proposed order granting the admission. A sponsor's affidavit is not required. All other requirements of subdivision (a) apply.

(d) Pro Hac Vice Admission. A member in good standing of the bar of any state, or of any United States District Court, may be admitted pro hac vice to argue or try a particular case in whole or in part. In addition to the requirements of L.R. 83.1(a)(1)(3) and (4), an applicant must make a Motion for *Pro Hac Vice* Admission, which includes the case caption of the particular case for which the applicant seeks admission. See L.R. 10.1(b). In lieu of a written motion for admission, the sponsoring attorney may make an oral motion in open court on the record. In that case, the attorney seeking pro hac vice admission must immediately complete and file the required documents as set forth above.

The *pro hac vice* admission fee is **\$100.00**. The Clerk deposits all *pro hac vice* admission fees into the District Court Fund. See L.R. 83.1(a)(5). An attorney admitted *pro hac vice* must file a written notice of appearance in the case for which the attorney was admitted in accordance with L.R. 83.2.

(e) Registration Form Changes. Every attorney must update their e-mail address, telephone or fax number through CM/ECF within 14 days of a change. Detailed instructions are available on the Court's website, <http://www.nynd.uscourts.gov/>. Attorneys shall notify the Court within 14 days of any change to their mailing address by completing the automated Update My Information form located on the Court's website: <http://www.nynd.uscourts.gov/e-filingregistration/procform13.cfm>

Failure to keep this information current will result in removal from the roll of the Court.

(f) Pro Bono Service. Every member of the bar of this Court shall be available upon the Court's request for appointment to represent or assist in the representation of indigent parties. The Court shall make appointments under this Rule in a manner such that the Court shall not request any attorney to accept more than one appointment during any twelve-month period.

(g) United States Attorney's Office. An attorney appointed by the United States Attorney General as a United States Attorney, an Assistant United States Attorney, or as a Special Assistant United States Attorney under 28 U.S.C. §§ 541-543, who has been admitted to practice before any United States District Court, shall be admitted to practice in this Court upon motion of a member of the bar of this Court. Thereafter, the attorney may appear before this Court on any matter on behalf of the United States. Prior to admission, applicants are required to complete and submit an oath of admission, a verified petition for admission to practice and an attorney E-filing registration form.